



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/517,693

12/08/2004

Gerhard Kraus

71613

1929

23872 7590 05/08/2007
MCGLEW & TUTTLE, PC
P.O. BOX 9227
SCARBOROUGH STATION
SCARBOROUGH, NY 10510-9227

EXAMINER

JOHNSON, JONATHAN J

ART UNIT

PAPER NUMBER

1725

MAIL DATE

DELIVERY MODE

05/08/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/517,693	Applicant(s) KRAUS, GERHARD	
	Examiner Jonathan Johnson	Art Unit 1725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2 and 15-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Pinchon (FR 2712833 A, IDS). Pinchon teaches a machining unit comprising one or more machining stations with robots, at least one turning station with two work stations, movable turning units with gripping tools and with intersecting turning units. The turning units comprise rotatable robots (abstract and figure 1); where each robot includes a joining tool (where the examiner interprets the grippers of the handling robots to be joining tools capable of performing a joining operation); where one station to be workpiece support and another to be a joining station where the robot with a joining tool being arranged to the joining station for carrying out joining operations at the joining station (robots shown in figure 1); and a plurality of turning stations overlapping and intersecting the other (see robots shown in figure 1). It is the

Art Unit: 1725

examiner's position that the particular labels and functions of the joining robots are process limitations that hold limited patentable weight in an apparatus claim. In addition, the examiner interprets the feed means and removal means to be handled by a person, which is not a structural element of the apparatus.

4. Claims 1, 2 and 5-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaczmarek et al. (USPN 5152050). Kaczmarek teaches a machining unit for large objects (col 3 lines 15-29) comprising one or more machining stations with robots, at least one turning station with two work stations, movable turning units with gripping tools and with intersecting turning units. The turning units comprise rotatable robots (figure 3, col 2 lines 45-65 and col 5 lines 21-68). The turning units comprise replaceable gripping tools, which are stored in the working area (col 7 line 61 – col 8 line 15). Components are fed into the work area (col 4 lines 1-45 and col 6 lines 10-28) and completed parts are transferred away from the work area (col 6 line 54-col 7 line 5 and col 9 lines 35-68). One of the stations may perform welding (col 7 lines 25-36). ; where each robot includes a joining tool (where the examiner interprets the grippers and joining tools to meet the claimed limitation); where one station to be workpiece support and another to be a joining station where the robot with a joining tool being arranged to the joining station for carrying out joining operations at the joining station (robots shown in figure 3); and a plurality of turning stations overlapping and intersecting the other (see robots shown in figure 3). It is the examiner's position that the particular labels and functions of the joining robots are process limitations that hold limited patentable weight in an apparatus claim. In addition, the examiner

Art Unit: 1725

interprets the feed means and removal means to be handled by a person, which is not a structural element of the apparatus.

5. Claims 1-3, 7, 9 and 11-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Laurino (US 2003/0183361 A1). Laurino teaches a machining unit comprising one or more machining stations with robots, at least one turning station with two work stations, movable turning units with gripping tools and with intersecting turning units. The turning units comprise rotatable, articulated arm robots (figures 1-3 and paragraphs 28-30 and 33). Components are fed into the work area and completed parts are transferred away from the work area (paragraphs 23 and 62-64); where each robot includes a joining tool (where the examiner interprets the grippers of the handling robots to be joining tools capable of performing a joining operation); where one station to be workpiece support and another to be a joining station where the robot with a joining tool being arranged to the joining station for carrying out joining operations at the joining station (robots shown in figure 1); and a plurality of turning stations overlapping and intersecting the other (see robots shown in figure 1). It is the examiner's position that the particular labels and functions of the joining robots are process limitations that hold limited patentable weight in an apparatus claim. In addition, the examiner interprets the feed means and removal means to be handled by a person, which is not a structural element of the apparatus.

6. Claims 1, 2, 7-9, 11, 12 and 14-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Angel (US 2002/0134815 A1).

Angel teaches a machining unit for large objects (figure 2) comprising one or more machining stations with robots, at least one turning station with two work stations, movable turning units with gripping tools and with intersecting turning units. The turning units comprise rotatable robots (figure 1 and paragraphs 10-13). Components are fed into the work area and completed parts are transferred away from the work area (paragraphs 12, 13 and 18). One of the stations may perform welding (paragraph 23); where each robot includes a joining tool (where the examiner interprets the grippers of the handling robots to be joining tools capable of performing a joining operation); where one station to be workpiece support and another to be a joining station where the robot with a joining tool being arranged to the joining station for carrying out joining operations at the joining station (robots shown in figure 1); and a plurality of turning stations overlapping and intersecting the other (see robots shown in figure 1). It is the examiner's position that the particular labels and functions of the joining robots are process limitations that hold limited patentable weight in an apparatus claim. In addition, the examiner interprets the feed means and removal means to be handled by a person, which is not a structural element of the apparatus.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kaczmarek et al. (USPN 5152050).

Kaczmarek teaches a machining unit for large objects (col 3 lines 15-29) comprising one or more machining stations with robots, at least one turning station with two work stations, movable turning units with gripping tools and with intersecting turning units. The turning units comprise rotatable robots (figure 3, col 2 lines 45-65 and col 5 lines 21-68). The turning units comprise replaceable gripping tools, which are stored in the working area (col 7 line 61 – col 8 line 15). Components are fed into the work area (col 4 lines 1-45 and col 6 lines 10-28) and completed parts are transferred away from the work area (col 6 line 54-col 7 line 5 and col 9 lines 35-68). One of the stations may perform welding (col 7 lines 25-36). However there is no disclosure robot load capacity.

It would have been obvious to one of ordinary skill in the art at the time of the invention that the robots are heavy-load robots capable of carrying at least 500kg or 1100 pounds as they are used for moving farm equipment and vehicle parts (col 3 lines 15-30).

9. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Angel (US 2002/0134815 A1).

Angel teaches a machining unit for large objects (figure 2) comprising one or more machining stations with robots, at least one turning station with two work stations, movable turning units with gripping tools and with intersecting turning units. The turning units comprise rotatable robots (figure 1 and paragraphs 10-13). Components are fed into the work area and

Art Unit: 1725

completed parts are transferred away from the work area (paragraphs 12, 13 and 18). One of the stations may perform welding (paragraph 23) .

However there is no disclosure robot load capacity.

It would have been obvious to one of ordinary skill in the art at the time of the invention that the robots are heavy-load robots capable of carrying at least 500kg or 1100 pounds as they are used for vehicle parts (figure 2).

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 1725

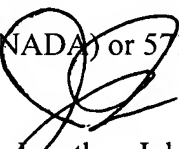
however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Johnson whose telephone number is 571-272-1177.

The examiner can normally be reached on M-Th 7:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pat Ryan can be reached on 571-272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jonathan Johnson
Primary Examiner
Art Unit 1725